

1
2
3 **SEALED**
4
5

6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 In the Matter of the Search of

Case No. 22-9365MB

9 a gray Apple iPhone 6 with IMEI
10 354450063353006 in a black plastic case
11 with manufacturer marking "blackweb"
12 on the back.

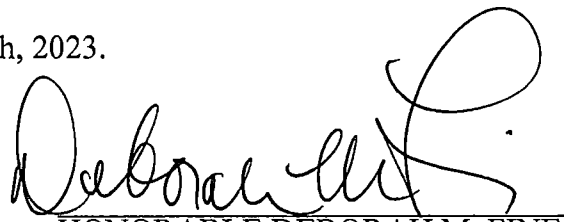
ORDER
(Under Seal)

13 Based upon the United States of America's Motion to Extend Time to Maintain
14 Search Warrant Materials Under Seal, and good cause appearing,

15 **IT IS HEREBY ORDERED** that the time to maintain under seal the Search
16 Warrant and Return, the Application for Search Warrant, the Affidavit and any attachments
17 thereto, the Motion to Seal, and the Order to Seal be extended for an additional 180 days,
18 from March 20, 2023, to and including September 16, 2023.

19 **IT IS FURTHER ORDERED** that the instant Motion and this Order be filed under
20 seal.

21 DATED this 20 day of March, 2023.

22
23
24 
25 HONORABLE DEBORAH M. FINE
26 United States Magistrate Judge
27
28

1 GARY M. RESTAINO
2 United States Attorney
3 District of Arizona

4 COLEEN SCHOCH
5 Assistant U.S. Attorney
6 Georgia State Bar No. 366545
7 Two Renaissance Square
8 40 N. Central Ave., Suite 1800
9 Phoenix, Arizona 85004
10 Email: coleen.schoch@usdoj.gov
11 Telephone: 602-514-7500
12 *Attorneys for Plaintiff*

SEALED

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF ARIZONA

11 In the Matter of the Search of

12 a gray Apple iPhone 6 with IMEI
13 354450063353006 in a black plastic case
14 with manufacturer marking "blackweb"
15 on the back.

Case No. 22-9365MB

**MOTION TO EXTEND TIME TO
MAINTAIN SEARCH WARRANT
MATERIALS UNDER SEAL**

(First Extension)

(Under Seal)

16 On September 21, 2022, the Court authorized a search warrant in the above-
17 captioned matter and ordered that the Search Warrant and Return, the Application for
18 Search Warrant, the Affidavit and any attachments thereto, the Motion to Seal, and the
19 Order to Seal filed in this matter ("the Sealed Materials") would remain under seal for 180
20 days, unless further extensions were granted by the Court. The current date on which the
21 order to seal is set to expire is March 20, 2023. United States is now seeking an order
22 extending the order to seal for an additional 180 days.

23 An order extending the sealing of the Sealed Materials is authorized and appropriate.
24 *See Matter of Search Warrants Executed on February 14, 1979*, 600 F.2d 1256, 1257 (9th
25 Cir. 1979) ("Courts have inherent power, as an incident of their constitutional function, to
26 control papers filed with the courts within certain constitutional and other limitations.").
27 Sealed Materials are regularly maintained under seal by the Court pending the completion
28 of a criminal investigation.

1 Here, an extension of the sealing order is appropriate because the search warrant
2 relates to an ongoing criminal investigation that is neither public nor known to all of the
3 targets of the investigation, and its disclosure may alert the targets to the ongoing
4 investigation. Accordingly, there is reason to believe that notification of the existence of
5 the warrant will seriously jeopardize the investigation or unduly delay a trial, including by
6 giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper
7 with evidence, change patterns of behavior, notify confederates, intimidate potential
8 witnesses, or endanger the life or physical safety of an individual. *See* 18 U.S.C. § 2705(b).

9 Based on the foregoing, the United States respectfully requests the Court extend the
10 time for maintaining the Sealed Materials under seal for an additional 180 days. The
11 government further requests this Motion, and any order resulting from it, be filed under
12 seal.

13 Respectfully submitted this 20th day of March, 2023.

14 GARY M. RESTAINO
15 United States Attorney
16 District of Arizona

17 s/ Coleen Schoch
18 COLEEN SCHOCH
19 Assistant U.S. Attorney
20
21
22
23
24
25
26
27
28